

REMARKS

The August 10, 2004 Official Action has been carefully reviewed. In view of the amendments submitted herewith and these remarks, favorable reconsideration and allowance of this application are respectfully requested.

In the Official Action, the Examiner has rejected claims 1, 4, 5, 8-10, 18-20, and 73 under 35 U.S.C. §112, second paragraph for alleged indefiniteness.

The foregoing rejection constitutes all of the grounds set forth in the August 10, 2004 Official Action for refusing the present application.

Please cancel claims 4, 5, and 8 and please cancel withdrawn claims 3, 6, 7, 11-17, 21-68, and 70-72. Inasmuch as claims 5 and 8 have been cancelled, claims 9, 10, and 73 have been amended such that their language is more consistent with that employed in claim 1, from which the claims now depend. No new matter has been introduced into this application by reason of these amendments.

CLAIMS 1, 4, 5, 8-10, 18-20, AND 73, AS AMENDED, FULLY COMPLY WITH THE REQUIREMENTS OF 35 U.S.C. §112, SECOND PARAGRAPH

The Examiner has rejected claims 1, 4, 5, 8-10, 18-20, and 73 under 35 U.S.C. §112, second paragraph for alleged indefiniteness for the reasons set forth below.

First, the Examiner contends that while the phrase "a computer-aided method for the provision, identification, and description of molecules" is recited in claims 1 and 18, there is no recited step for identifying or describing the molecule. Applicants have amended claims 1 and 18 to recite "a computer-aided method for the provision and identification of molecules" and have added the clause "wherein the filtering steps allow for the identification of molecules exhibiting said desired activity." Applicants submit that the recited steps of the claims clearly meet the objective recited in the preamble.

Second, the Examiner alleges that the relationship between the step of "building a combinatorial library" and the step of "selecting candidate molecules" recited in claims 1 and 18 is unclear. Applicants have amended the rejected claims to recite the step of "selecting candidate molecules from the combinatorial library," thereby obviating the instant rejection.

Third, it is the Examiner's position that it is unclear whether the "filtering step" recited in claims 1 and 18 is filtering for a particular activity or against a particular activity. Applicants have amended the static filtering step in both claims 1 and 18 to recite that the candidate molecules must satisfy the plurality of molecular descriptors in order to exhibit the desired activity. Support for this amendment can be found at the further filtering steps of claims 1 and 18 and at page 16, line 28 through page 17, line 5. Thus, the claims clearly recite that the static filter is filtering for molecules which satisfy the previously selected molecular descriptors and, therefore, selecting for molecules with the maximum chance of exhibiting the desired activity.

Fourth, the Examiner asserts that it is unclear whether the filtering step with a static filter recited in claims 1 and 18 is performed in succession or separately from the filtering step with a dynamic filter. Applicants have amended claims 1 and 18 to recite "a further filtering step whereby the filtered candidate molecules are further filtered using at least one dynamic filter." Accordingly, the amended claims plainly recite that the filtering step with a dynamic filter is performed on the molecules which satisfied the filtering step with the static filter.

Lastly, the Examiner contends that 1) it is unclear at what stage the "step of screening the candidate molecules" recited in claim 4 is performed, 2) the metes and bounds of the phrase "on the basis of enrichment," recited in claim 4,

are unclear, and 3) the relationship of the step of "deriving one or more criteria," recited in claims 5 and 8, with the steps recited in claim 1 is unclear. It is the Applicants' position that the claims are not indefinite as written. However, in an effort to expedite allowance of this application, Applicants have cancelled claims 4, 5, and 8, thereby obviating the instant rejections of these claims.

In light of the foregoing, Applicants respectfully submit that the rejections of claims 1, 9, 10, 18-20, and 73 under 35 U.S.C. §112, second paragraph for alleged indefiniteness are untenable and request their withdrawal.

CONCLUSION

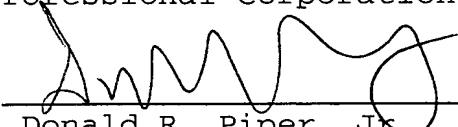
In view of the amendments presented herewith and the foregoing remarks, it is respectfully urged that the rejections set forth in the August 10, 2004 Official Action be withdrawn and that this application be passed to issue.

In the event the Examiner is not persuaded as to the allowability of any claim, and it appears that any outstanding issue may be resolved through a telephone interview, the Examiner is requested to telephone the undersigned attorney at the phone number given below.

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